For the Northern District of California

IN THE UNITED STATES DISTRICT COURT	
FOR THE NORTHERN DISTRICT OF CALIFORNI	Α

JERMAINE LAMONT	}
ALEXANDER,	No. C 06-00746 JW (PR)
Petitioner,	ORDER OF DISMISSAL
vs.	
RAUL MARTINEZ, Warden,)
Respondent.)

On January 9, 2006, petitioner filed a <u>pro</u> se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner sought to proceed in forma pauperis. The court, by order filed September 21, 2006, denied the motion to proceed in forma pauperis because the application was incomplete; instead of including a certificate of funds signed by an authorized prison official, petitioner signed the certificate himself. The court extended the time for petitioner to submit a completed certificate of funds or pay the filing fee, and granted him thirty days from the date of the order to do so. A copy of that order to petitioner was returned as undeliverable on October 11, 2006, and it was indicated that petitioner was no

Order of Dismissal

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longer in custody. The court ordered petitioner on January 18, 2007 to file a notice
of his current address and his continued intent to prosecute no later than 30 days
from the date of the order. The court stated that failure to file would result in the
dismissal of the action without prejudice for failure to prosecute.

On February 7, 2007, the post office returned the court's mail to petitioner as undeliverable. Because sixty (60) days have passed since the court's mail to petitioner was returned as undeliverable, and the court has received no written communication from petitioner indicating a current address, the case is DISMISSED without prejudice pursuant to Local Rule 3-11(b).

DATED: <u>August 27, 2007</u>

United States District Judge